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# PRELIMINARY DRAFT

## No. 3101

PREPARED BY  
LEGISLATIVE SERVICES AGENCY  
2011 GENERAL ASSEMBLY

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### DIGEST

**Citations Affected:** IC 6-4.1; IC 12-14; IC 29-1; IC 29-2-12-0.1; IC 29-3-2; IC 30-2; IC 31-30; IC 31-34-21-0.1; IC 32-17-14-0.2; IC 33-33; IC 34-45-2-0.1.

**Synopsis:** Noncode statutes. Codifies certain noncode provisions relating to probate, trusts, guardianships, and death taxes. Repeals the corresponding noncode provisions.

**Effective:** July 1, 2011.



A BILL FOR AN ACT to amend the Indiana Code concerning probate.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 6-4.1-1-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The amendments made to section 4 of this chapter by P.L.2-1987 take effect on January 1, 1987, and apply to taxable years beginning after December 31, 1986.**

SECTION 2. IC 6-4.1-1-3, AS AMENDED BY P.L.238-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. (a) "Class A transferee" means a transferee who is ~~any~~ **any of the following:**

(1) Lineal ancestor of the transferor.

(2) Lineal descendant of the transferor.

(3) Stepchild of the transferor, whether or not the stepchild is adopted by the transferor. **or This subdivision applies to the estate of an individual who dies after June 30, 2004.**

(4) Lineal descendant of a stepchild of the transferor, whether or not the stepchild is adopted by the transferor.

(b) "Class B transferee" means a transferee who is a:

(1) brother or sister of the transferor;

(2) descendant of a brother or sister of the transferor; or

(3) spouse, widow, or widower of a child of the transferor.

(c) "Class C transferee" means a transferee, except a surviving spouse, who is neither a Class A nor a Class B transferee.

(d) For purposes of this section, a legally adopted child is to be treated as if the child were the natural child of the child's adopting parent if the adoption occurred before the individual was totally emancipated. However, an individual adopted after being totally emancipated shall be treated as the natural child of the adopting parent if the adoption was finalized before July 1, 2004.

(e) For purposes of this section, if a relationship of loco parentis has existed for at least ten (10) years and if the relationship began before the child's fifteenth birthday, the child is to be considered the natural



child of the loco parentis parent.

(f) As used in this section, "stepchild" means a child of the transferor's surviving, deceased, or former spouse who is not a child of the transferor.

SECTION 3. IC 6-4.1-2-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The following amendments to this chapter apply as follows:**

(1) The amendments made to section 4 of this chapter by P.L.58-1990 do not apply to decedents who die before January 1, 1991.

(2) The amendments made to sections 2 and 3 of this chapter by P.L.78-1993 do not apply to individuals who die before July 1, 1993.

SECTION 4. IC 6-4.1-3-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The amendments made to sections 6.5 and 7 of this chapter by P.L.2-1987 take effect on January 1, 1987, and apply to taxable years beginning after December 31, 1986.**

SECTION 5. IC 6-4.1-4-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The following amendments to this chapter apply as follows:**

(1) The amendments made to sections 1, 2, and 7 of this chapter by P.L.252-2001 apply to the estate of an individual who dies after June 30, 2001.

(2) The amendments made to section 2 of this chapter by P.L.238-2005 apply to the estate of a person who dies after June 30, 2005.

SECTION 6. IC 6-4.1-7-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The amendments made to sections 1 and 6 of this chapter by P.L.48-1992 do not apply to a petition for rehearing or redetermination that is based on a determination or final determination made before July 1, 1992.**

SECTION 7. IC 6-4.1-8-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The following amendments to this chapter apply as follows:**

(1) The addition of section 4.6 of this chapter by P.L.26-1985 applies to property belonging to decedents who die after June 30, 1986.

(2) The amendments made to section 5 of this chapter by P.L.6-1999 apply to the estate of an individual who dies after June 30, 1999.

SECTION 8. IC 6-4.1-9-0.1 IS ADDED TO THE INDIANA CODE



1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
2 1, 2011]: **Sec. 0.1. The amendments made to sections 1 and 2 of this**  
3 **chapter by P.L.252-2001 apply to the estate of an individual who**  
4 **dies after June 30, 2001.**

5 SECTION 9. IC 6-4.1-11-0.1 IS ADDED TO THE INDIANA  
6 CODE AS A NEW SECTION TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The following amendments**  
8 **to this chapter apply as follows:**

9 (1) **The amendments made to section 2 of this chapter by**  
10 **P.L.78-1993 do not apply to individuals who die before July 1,**  
11 **1993.**

12 (2) **The amendments made to section 3 of this chapter by**  
13 **P.L.252-2001 apply to the estate of an individual who dies**  
14 **after June 30, 2001.**

15 SECTION 10. IC 6-4.1-11.5-0.1 IS ADDED TO THE INDIANA  
16 CODE AS A NEW SECTION TO READ AS FOLLOWS  
17 [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The amendments made to**  
18 **section 9 of this chapter by P.L.252-2001 apply to the estate of an**  
19 **individual who dies after June 30, 2001.**

20 SECTION 11. IC 12-14-6-0.1 IS ADDED TO THE INDIANA  
21 CODE AS A NEW SECTION TO READ AS FOLLOWS  
22 [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The amendments made to**  
23 **sections 3 and 4 of this chapter by P.L.118-1997 do not apply to an**  
24 **individual whose death occurs before July 1, 1997.**

25 SECTION 12. IC 12-14-17-0.1 IS ADDED TO THE INDIANA  
26 CODE AS A NEW SECTION TO READ AS FOLLOWS  
27 [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The amendments made to**  
28 **sections 4 and 5 of this chapter by P.L.118-1997 do not apply to an**  
29 **individual whose death occurs before July 1, 1997.**

30 SECTION 13. IC 12-14-21-0.1 IS ADDED TO THE INDIANA  
31 CODE AS A NEW SECTION TO READ AS FOLLOWS  
32 [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The amendments made to**  
33 **section 3 of this chapter by P.L.118-1997 do not apply to an**  
34 **individual whose death occurs before July 1, 1997.**

35 SECTION 14. IC 29-1-1-0.1 IS ADDED TO THE INDIANA CODE  
36 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
37 1, 2011]: **Sec. 0.1. The amendments made to sections 9, 11, 12, and**  
38 **20 of this chapter by P.L.118-1997 do not apply to an individual**  
39 **whose death occurs before July 1, 1997.**

40 SECTION 15. IC 29-1-2-0.1 IS ADDED TO THE INDIANA CODE  
41 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
42 1, 2011]: **Sec. 0.1. The following amendments to this chapter apply**  
43 **as follows:**

44 (1) **The amendments made to section 10 of this chapter by**  
45 **P.L.118-1997 do not apply to an individual whose death**  
46 **occurs before July 1, 1997.**



(2) The amendments made to section 1 of this chapter by P.L.176-2003 apply only to the estate of an individual who dies after June 30, 2003.

(3) The amendments made to section 1 of this chapter by P.L.238-2005 apply to the estate of a person who dies after June 30, 2004.

(4) The amendments made to section 1 of this chapter by P.L.61-2006 apply to the estate of an individual who dies after June 30, 2005.

SECTION 16. IC 29-1-3-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The following amendments to this chapter apply as follows:**

(1) The amendments made to section 1 of this chapter by P.L.168-1988 do not apply to individuals who die before July 1, 1988.

(2) The amendments made to section 2 of this chapter by P.L.238-2005 apply to the estate of a person who dies after June 30, 2005.

(3) The amendments made to sections 1 and 7 of this chapter by P.L.176-2003 apply only to the estate of an individual who dies after June 30, 2003.

(4) The amendments made to section 1 of this chapter by P.L.61-2006 apply to the estate of an individual who dies after June 30, 2005.

SECTION 17. IC 29-1-4-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The following amendments to this chapter apply as follows:**

(1) The amendments made to section 1 of this chapter by P.L.118-1997 do not apply to an individual whose death occurs before July 1, 1997.

(2) The amendments made to section 1 of this chapter by P.L.252-2001 apply to the estate of an individual who dies after June 30, 2001.

SECTION 18. IC 29-1-6-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The amendments made to section 1 of this chapter by P.L.118-1997 do not apply to an individual whose death occurs before July 1, 1997.**

SECTION 19. IC 29-1-7-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The following amendments to this chapter apply as follows:**

(1) The amendments made to section 17 of this chapter by P.L.284-1987 do not apply to wills admitted to probate before



April 21, 1987.

(2) The amendments made to sections 18 and 19 of this chapter by P.L.118-1997 do not apply to an individual whose death occurs before July 1, 1997.

(3) The amendments made to sections 7, 7.5, and 17 of this chapter by P.L.252-2001 apply to the estate of an individual who dies after June 30, 2001.

SECTION 20. IC 29-1-7.5-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The following amendments to this chapter apply as follows:**

(1) The amendments made to section 3.8 of this chapter by P.L.118-1997 do not apply to an individual whose death occurs before July 1, 1997.

(2) The amendments made to section 4 of this chapter by P.L.252-2001 apply to the estate of an individual who dies after June 30, 2001.

SECTION 21. IC 29-1-8-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The following amendments to this chapter apply as follows:**

(1) The amendments made to sections 1 and 3 of this chapter by P.L.118-1997 do not apply to an individual whose death occurs before July 1, 1997.

(2) The amendments made to sections 1 and 4.5 of this chapter by P.L.61-2006 apply to the estate of an individual who dies after June 30, 2006.

SECTION 22. IC 29-1-8-3, AS AMENDED BY P.L.95-2007, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 3. (a) If it appears that the value of a decedent's gross probate estate, less liens and encumbrances, does not exceed the sum of:**

(1) **twenty-five thousand dollars (\$25,000), for the estate of an individual who dies before July 1, 2007, and fifty thousand dollars (\$50,000), for the estate of an individual who dies after June 30, 2007;**

(2) the costs and expenses of administration; and

(3) reasonable funeral expenses;

the personal representative or a person acting on behalf of the distributees, without giving notice to creditors, may immediately disburse and distribute the estate to the persons entitled to it and file a closing statement as provided in section 4 of this chapter.

(b) If an estate described in subsection (a) includes real property, an affidavit may be recorded in the office of the recorder in the county in which the real property is located. The affidavit must contain the following:



(1) The legal description of the real property.

(2) The following statement:

**(A) If the individual dies after June 30, 2007, the following statement:** "It appears that the decedent's gross probate estate, less liens and encumbrances, does not exceed the sum of the following: fifty thousand dollars (\$50,000), the costs and expenses of administration, and reasonable funeral expenses.".

**(B) If the individual dies before July 1, 2007, the following statement:** "It appears that the decedent's gross probate estate, less liens and encumbrances, does not exceed the sum of the following: twenty-five thousand dollars (\$25,000), the costs and expenses of administration, and reasonable funeral expenses.".

(3) The name of each person entitled to at least a part interest in the real property as a result of a decedent's death, the share to which each person is entitled, and whether the share is a divided or undivided interest.

(4) A statement which explains how each person's share has been determined.

SECTION 23. IC 29-1-8-4, AS AMENDED BY P.L.95-2007, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 4. (a) Unless prohibited by order of the court and except for estates being administered by supervised personal representatives, a personal representative or a person acting on behalf of the distributees may close an estate administered under the summary procedures of section 3 of this chapter by filing with the court, at any time after disbursement and distribution of the estate, a verified statement stating that:

(1) to the best knowledge of the personal representative or person acting on behalf of the distributees the value of the gross probate estate, less liens and encumbrances, did not exceed the sum of:

**(A) twenty-five thousand dollars (\$25,000), for the estate of an individual who dies before July 1, 2007, and fifty thousand dollars (\$50,000), for the estate of an individual who dies after June 30, 2007;**

**(B) the costs and expenses of administration; and**

**(C) reasonable funeral expenses;**

(2) the personal representative or person acting on behalf of the distributees has fully administered the estate by disbursing and distributing it to the persons entitled to it; and

(3) the personal representative or person acting on behalf of the distributees has sent a copy of the closing statement to all distributees of the estate and to all creditors or other claimants of whom the personal representative or person acting on behalf of the distributees is aware and has furnished a full account in writing of the administration to the distributees whose interests



are affected.

(b) If no actions, claims, objections, or proceedings involving the personal representative or person acting on behalf of the distributees are filed in the court within three (3) months after the closing statement is filed, the appointment of the personal representative or the duties of the person acting on behalf of the distributees terminate.

(c) A closing statement filed under this section has the same effect as one (1) filed under IC 29-1-7.5-4.

(d) A copy of any affidavit recorded under section 3(b) of this chapter must be attached to the closing statement filed under this section.

SECTION 24. IC 29-1-9-0.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The amendments made to section 2 of this chapter by P.L.118-1997 do not apply to an individual whose death occurs before July 1, 1997.**

SECTION 25. IC 29-1-10-0.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The amendments made to section 1 of this chapter by P.L.118-1997 do not apply to an individual whose death occurs before July 1, 1997.**

SECTION 26. IC 29-1-14-0.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The following amendments to this chapter apply as follows:**

(1) **The amendments made to sections 2, 13, 17, and 19 of this chapter by P.L.118-1997 do not apply to an individual whose death occurs before July 1, 1997.**

(2) **The amendments made to sections 1, 2, 8, 10, 16, 18, 19, and 21 of this chapter by P.L.252-2001 apply to the estate of an individual who dies after June 30, 2001.**

SECTION 27. IC 29-1-16-0.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The following amendments to this chapter apply as follows:**

(1) **The amendments made to section 6 of this chapter by P.L.118-1997 do not apply to an individual whose death occurs before July 1, 1997.**

(2) **The amendments made to section 6 of this chapter by P.L.252-2001 apply to the estate of an individual who dies after June 30, 2001.**

SECTION 28. IC 29-2-12-0.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The following amendments to this chapter apply as follows:**

(1) **The addition of section 1.5 of this chapter by P.L.266-1989**





1           **does not apply to:**

2               **(A) a will;**

3               **(B) a trust; or**

4               **(C) another instrument governing the distribution of assets**  
 5               **following an individual's death;**

6           **executed before July 1, 1989.**

7           **(2) The amendments made to section 7 of this chapter by**  
 8           **P.L.266-1989 do not apply to:**

9               **(A) a will;**

10              **(B) a trust; or**

11              **(C) another instrument governing the distribution of assets**  
 12              **following an individual's death;**

13           **executed before July 1, 1989.**

14           SECTION 29. IC 29-3-2-0.1 IS ADDED TO THE INDIANA CODE  
 15           AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 16           1, 2011]: **Sec. 0.1. The following amendments to this chapter apply**  
 17           **as follows:**

18               **(1) The amendments made to sections 3 and 4 of this chapter**  
 19               **by P.L.118-1997 do not apply to an individual whose death**  
 20               **occurs before July 1, 1997.**

21               **(2) The amendments made to section 1 of this chapter by**  
 22               **P.L.217-2001 apply to all proceedings pending under IC 31-34**  
 23               **on July 1, 2001, and to all proceedings commenced under**  
 24               **IC 31-34 after June 30, 2001.**

25           SECTION 30. IC 29-3-2-0.2 IS ADDED TO THE INDIANA CODE  
 26           AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 27           1, 2011]: **Sec. 0.2. (a) As used in this section, "affected statutes"**  
 28           **refers to the following:**

29               **(1) IC 16-8-12-7 (repealed, now codified at IC 16-36-1-8).**

30               **(2) IC 29-1-7.5-2.**

31               **(3) IC 33-16-2-2 (repealed, now codified at IC 33-42-2-2).**

32               **(4) IC 33-19-3-2 (repealed, now codified at IC 33-37-3-2).**

33               **(5) IC 35-34-2-3.**

34               **(6) IC 35-37-1-5.**

35               **(b) This article and the amendments made by P.L.169-1988 to**  
 36               **the affected statutes apply to guardianships in existence on June**  
 37               **30, 1989, except to the extent that application of this article and the**  
 38               **amendments made by P.L.169-1988 to the affected statutes would**  
 39               **contravene any vested or contractual rights in effect on June 30,**  
 40               **1989, in which case the law in effect before July 1, 1989, prevails.**

41           SECTION 31. IC 30-2-12-0.5 IS ADDED TO THE INDIANA  
 42           CODE AS A NEW SECTION TO READ AS FOLLOWS  
 43           [EFFECTIVE JULY 1, 2011]: **Sec. 0.5. This chapter applies to gift**  
 44           **instruments, whenever executed or in effect.**

45           SECTION 32. IC 30-2-14-0.1 IS ADDED TO THE INDIANA  
 46           CODE AS A NEW SECTION TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2011]: **Sec. 0.1. (a) This chapter applies to every trust or decedent's estate existing on or created after January 1, 2003, except as otherwise expressly provided:**

- (1) in the decedent's will;**
- (2) by the terms of the trust; or**
- (3) in this chapter.**

**(b) The following amendments to this chapter apply as follows:**

**(1) The amendments made to section 31 of this chapter by P.L.143-2009 apply to a trust described in section 31(h) of this chapter, on and after the following dates:**

**(A) If the trust is not funded as of July 1, 2009, the date of the decedent's death.**

**(B) If the trust is initially funded in the calendar year beginning January 1, 2009, the date of the decedent's death.**

**(C) If the trust is not described in subdivision (1) or (2), January 1, 2009.**

**SECTION 33. IC 31-30-1-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 0.1. The amendments made to section 1 of this chapter by P.L.217-2001 apply to all proceedings pending under IC 31-34 on July 1, 2001, and to all proceedings commenced under IC 31-34 after June 30, 2001.**

**SECTION 34. IC 31-30-1-0.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 0.2. On July 1, 2001, all guardianship of the person matters:**

**(1) that are pending in a court other than a juvenile court; and**

**(2) over which a juvenile court has exclusive original jurisdiction under this chapter, as amended by P.L.217-2001; shall be transferred to the juvenile court. A matter transferred under this section shall be treated as if it were originally filed in the juvenile court.**

**SECTION 35. IC 31-30-2-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 0.1. The amendments made to section 1 of this chapter by P.L.217-2001 apply to all proceedings pending under IC 31-34 on July 1, 2001, and to all proceedings commenced under IC 31-34 after June 30, 2001.**

**SECTION 36. IC 31-34-21-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 0.1. The addition of section 7.7 of this chapter by P.L.217-2001 applies to all proceedings pending under IC 31-34 on July 1, 2001, and to all proceedings commenced under IC 31-34 after June 30, 2001.**



1       SECTION 37. IC 32-17-14-0.2 IS ADDED TO THE INDIANA  
 2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2011]: **Sec. 0.2. The addition of IC 32-4-1.6**  
 4 **("Uniform Act on Transfer on Death Securities" before its repeal,**  
 5 **codified at IC 32-17-9, before its repeal) does not apply to an**  
 6 **individual whose death occurs before July 1, 1997.**

7       SECTION 38. IC 33-33-6-0.2 IS ADDED TO THE INDIANA  
 8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 9 [EFFECTIVE JULY 1, 2011]: **Sec. 0.2. The amendments made to**  
 10 **IC 33-5-9-5 (before its repeal, now codified at section 7 of this**  
 11 **chapter) by P.L.217-2001 apply to all proceedings pending under**  
 12 **IC 31-34 on July 1, 2001, and to all proceedings commenced under**  
 13 **IC 31-34 after June 30, 2001.**

14       SECTION 39. IC 33-33-32-0.2 IS ADDED TO THE INDIANA  
 15 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 16 [EFFECTIVE JULY 1, 2011]: **Sec. 0.2. The amendments made to**  
 17 **IC 33-5-25-5 (before its repeal, now codified at section 8 of this**  
 18 **chapter) by P.L.217-2001 apply to all proceedings pending under**  
 19 **IC 31-34 on July 1, 2001, and to all proceedings commenced under**  
 20 **IC 31-34 after June 30, 2001.**

21       SECTION 40. IC 34-45-2-0.1 IS ADDED TO THE INDIANA  
 22 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 23 [EFFECTIVE JULY 1, 2011]: **Sec. 0.1. The amendments made to**  
 24 **section 4 of this chapter by P.L.252-2001 apply to the estate of an**  
 25 **individual who dies after June 30, 2001.**

26       SECTION 41. THE FOLLOWING ARE REPEALED [EFFECTIVE  
 27 JULY 1, 2011]: P.L.26-1985, SECTION 22; P.L.2-1987, SECTION 54;  
 28 P.L.284-1987, SECTION 2; P.L.168-1988, SECTION 2; P.L.169-1988,  
 29 SECTION 12; P.L.266-1989, SECTION 3; P.L.268-1989, SECTION  
 30 2; P.L.58-1990, SECTION 5; P.L.48-1992, SECTION 3; P.L.78-1993,  
 31 SECTION 4; P.L.118-1997, SECTION 28; P.L.6-1999, SECTION 3;  
 32 P.L.217-2001, SECTION 17; P.L.252-2001, SECTION 39;  
 33 P.L.84-2002, SECTION 12; P.L.176-2003, SECTION 8; P.L.68-2004,  
 34 SECTION 2; P.L.238-2005, SECTION 64; P.L.238-2005, SECTION  
 35 65; P.L.238-2005, SECTION 66; P.L.61-2006, SECTION 8;  
 36 P.L.61-2006, SECTION 9; P.L.95-2007, SECTION 21; P.L.143-2009,  
 37 SECTION 51.

